



PATENT

ATTORNEY DOCKET NO.: 040894-7191

THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Itaru HOMMA et al.

Application No. 10/526,669

Filed: October 26, 2005

For: CARBON FINE POWDER COATED WITH  
METAL OXIDE, METAL NITRIDE OR METAL  
CARBIDE, PROCESS FOR PRODUCING THE  
SAME, AND SUPERCAPACITOR AND  
SECONDARY BATTERY USING THE CARBON  
FINE POWDER

Confirmation No.: 3155

Group Art Unit: 1745

Examiner: Mark Ruthkosky

**Mail Stop Amendment**

U.S. Patent and Trademark Office  
Customer Window  
Randolph Building  
401 Dulany Street  
Alexandria, Virginia 22314

Sir:

**INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)**

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), Applicants bring to the attention of the Examiner the documents listed on the attached PTO Form 1449. To the best of the undersigned's knowledge, this Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits for the above-referenced application. Accordingly, Applicants do not believe that a fee is due for filing this paper.

The listed documents were cited in an Office Actions issued by the Japanese Patent Office in a corresponding Japanese patent application on December 2, 2005, and July 3, 2007. Copies of the Japanese Office Actions and the non-US listed documents are enclosed for the Examiner's consideration. Applicants respectfully request that the Examiner consider the listed documents and evidence that consideration by making appropriate notations on the attached form.

The following documents are in a language other than English:

(a) WO 02/21617: The relevance of this document can be understood from the Japanese Office Action dated December 2, 2005, the English language abstract therein, the figures therein, and US counterpart 2002/0172869.

(b) JP 2000-124082: The relevance of this document can be understood from the Japanese Office Action dated December 2, 2005, the English language abstract therein, and the figures therein.

(c) JP 11-312630: The relevance of this document can be understood from the Japanese Office Action dated December 2, 2005, the English language abstract therein, the figures therein, and US counterpart 6,455,108.

(d) JP 2002-158140: The relevance of this document can be understood from the Japanese Office Action dated December 2, 2005, the English language abstract therein, and the figures therein.

(e) JP 2002-217071: The relevance of this document can be understood from the Japanese Office Action dated July 3, 2007, the International Search Report in the PCT international stage of this application, the English language abstract therein, and the figures therein.

(f) JP 2001-93512: The relevance of this document can be understood from the Japanese Office Action dated July 3, 2007, the International Search Report in the PCT international stage of this application, the English language abstract therein, and the figures therein, and US counterpart 6,339,528 (which is already of record).

(e) JP 6-503924: The relevance of this document can be understood from the Japanese Office Action dated July 3, 2007, the English language abstract therein, and the figures therein, and US counterpart 5,079,674.

This submission does not represent that a search has been made or that no better art exists

and does not constitute an admission that the listed documents are material or constitute "Prior Art."

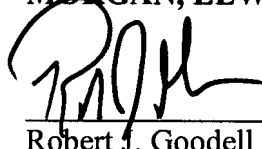
If it should be determined that any of the listed documents do not constitute "Prior Art" under United States law, Applicants reserve the right to present to the Office the relevant facts and law regarding the appropriate status of such documents.

Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should any of the documents be applied against the claims of the present application.

**Except** for issue fees payable under 37 C.F.R. §1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account No. 50-0310. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. §1.136(a)(3).

Respectfully submitted,

**MORGAN, LEWIS & BOCKIUS LLP**



By: \_\_\_\_\_

Robert J. Goodell

Reg. No. 41,040

Dated: November 20, 2007

**CUSTOMER NO. 009629**

**MORGAN, LEWIS & BOCKIUS LLP**

1111 Pennsylvania Avenue, N.W.

Washington, D.C. 20004

(202) 739-3000